

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Craig Johnson,

Civil No. 11-2100 (DWF/JJG)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Randy Almsted, Larry Almsted,  
and Brian Almsted,

Defendants.

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Craig Johnson, *Pro Se*, Plaintiff.

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The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed *in forma pauperis*, (Doc. No. [2]), is **DENIED**; and
2. This action is summarily **DISMISSED** for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(h)(3).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: August 30, 2011

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge